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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,841	06/01/2004	Gunnar Bartels		6558

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Im Treff 20
Trier, 54296
GERMANY

7590

11/27/2007

EXAMINER

CAO, DIEM K

ART UNIT	PAPER NUMBER
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2194

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/709,841

Applicant(s)

BARTELS, GUNNAR

Examiner

Diem K. Cao

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-5 are pending.

Claim Objections

2. Claims 1-3 are objected to because of the following informalities: Claim 1 recites "What is claimed is:" which should not be part of the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 4 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 4 is directed to computer programs, i.e., software per se, which are not physical "things". They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized. In contrast, a claimed storage computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claim 5 is rejected under 35 U.S.C. 102(e) as being anticipated by Hansen et al. (U.S. 2003/013749 A1).**

As to claim 5, Hansen teaches a method of extending the viewing range of a first computing device by employing a display of a second computing device coupled to the first computing device (abstract), the method comprising the steps of:

receiving display content data from an operating system of the first computing device (inherent from “the portable computer to receive and display the output of a desktop PC or another portable computer”; page 1, paragraph 11),

transmitting the display content data to the second computing device (inherent from “the external video signal 32 is received on the connector 34”; page 1, paragraph 14 and page 2, paragraph 21), and

displaying display content associated with the display content data on the display of the second computing device (the portable computer 30 receives and displays an external video signal 32 on the flat-panel display 18; page 1, paragraphs 12 and 14).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore (U.S. 6,587,082 B1) in view of Hansen et al. (U.S. 2003/013749 A1).**

As to claim 1, Moore teaches a system for extending the viewing range of a first computing device by employing a second display (abstract), the system comprising:

a virtual video device driver (a virtual desktop software driver; col. 5, lines 30-32), wherein the virtual video device driver resides on the first computing device (a multiple-access computer monitoring system; col. 5, lines 23-32), and

an operating system of the first computing device communicates display content data to the virtual video device driver, through which the display content data is transmitted to the display (The driver 30 functions as a buffer by receiving input control signals from the CPU 200 and apply to the video card 22, 24, 26 control signals and refresh rate control signals; col. 5, lines 55-58).

Moore does not teach the second display of a second computing device coupled to the first computing device, a viewer software module residing on the second computing device, wherein the viewer software module is programmed to receive data used to display content on the display of the second computing device, wherein the virtual video device driver is adapted to emulate a physical video card such that in operation, the display content data is transmitted to the

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viewer software module. However, Hansen teaches a method extending the viewing range of a first computing device by employing a display of a second computer coupled to the first computer system (abstract), a viewer software module residing on the second computing device (connector 34; page 1, paragraph 14 and Fig. 2), wherein the viewer software module is programmed to receive data used to display content on the display of the second computing device (When the external video signal ... portable computer 30; page 1, paragraph 14 and page 2, paragraph 21), the display content data is transmitted to the viewer software module (thereby enabling the portable computer to act as a display device for an external computer; abstract). Although Moore does not teach wherein the virtual video device driver is adapted to emulate a physical video card such that in operation, however, the combination of Moore and Hansen achieves the above limitation.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply the teaching of Hansen to the system of Moore because Hansen teaches utilizing an existing display computer as a display device for an external computer instead of getting a new one, thus, save use with the cost of provide a new one.

As to claim 3, Moore does not teach a video card and an associated video driver residing on the second computing device, wherein the viewer software module is further programmed to communicate received data to the video card such that content associated therewith is displayed on the display of the second computing device. However, Hansen teaches a video card (inherent from there is a flat display in the system; see Fig. 2) and an associated video driver residing on the second computing device (dual mode display software driver, and internal software; see Fig.

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2), wherein the viewer software module is further programmed to communicate received data to the video card such that content associated therewith is displayed on the display of the second computing device (When the external video signal 32 ... to the flat-panel display; page 1, paragraph 14).

As to claim 4, Moore teaches data is received from an operating system of a first computing device on which the virtual video device driver resides (a virtual desktop software driver; col. 5, lines 30-32), and is subsequently transmitted to a second display (The driver 30 functions as a buffer by receiving input control signals from the CPU 200 and apply to the video card 22, 24, 26 control signals and refresh rate control signals; col. 5, lines 55-58).

Moore does not teach transmitted to a second computing device, wherein display content associated with the data is displayed on a display of the second computing device. However, Hansen teaches a method extending the viewing range of a first computing device by employing a display of a second computer coupled to the first computer system (abstract), and , wherein display content associated with the data is displayed on a display of the second computing device (When the external video signal ... portable computer 30; page 1, paragraphs 11 and 14 and page 2, paragraph 21). Although Moore does not teach wherein the virtual video device driver is adapted to emulate a physical video card such that in operation, however, the combination of Moore and Hansen achieves the above limitation.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply the teaching of Hansen to the system of Moore because Hansen teaches

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utilizing an existing display computer as a display device for an external computer instead of getting a new one, thus, save use with the cost of provide a new one.

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moore (U.S. 6,587,082 B1) in view of Hansen et al. (U.S. 2003/013749 A1) further in view of Thornton (U.S. 6,735,658 B1).

As to claim 2, Moore and Hansen do not teach a server software module coupled to the virtual video device driver, wherein the server software module facilitates transmission of display content data communicated to the virtual video device driver, from the first computing device to the second computing device.

However, Thornton teaches a server software module coupled to the video device driver, wherein the server software module facilitates transmission of display content data communicated to the video device driver, from the first computing device to the remote display (local extender; col. 15, lines 22-53 and col. 10, lines 2-28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Thornton to the system of Moore and Hansen because Thornton provides a system and method for operating a display device remotely from a host computer (abstract).

Conclusion


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diem K. Cao whose telephone number is (571) 272-3760. The examiner can normally be reached on Monday - Friday, 8:30AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC
November 8, 2007


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER